



Public Notice

Applicant:

Wegmans Food Market

Date:

Published: May 11, 2004

Expires: June 9, 2004

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District **CELRB-TD-R RE:** 2003-00983(0) **Section:** NY 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Wegmans Food Markets, Inc., P.O. Box 30844, Rochester, New York, proposes to place fill into approximately 2.4 acres of Federal jurisdiction wetlands in association with the construction of a new food market. The project is located at 3177 Latta Road in the Town of Greece, Monroe County, New York.

The project consists of the following:

- a. Approximately 2.4 acres of primary succession wooded wetlands will be filled for the footprint of the new food market and adjacent pavement areas. The new market is located immediately adjacent to an existing Wegmans market which will be converted to a retail sales location. The area in the immediate vicinity of the project site contains other commercial development. The construction site consists of a portion of a parcel adjacent to the existing market. The wetlands to be filled are part of a larger wetland complex which extends east onto the remainder of the construction parcel. No development plans currently exist for the remainder of the construction parcel.
- b. As mitigation for the proposed wetland impacts, the applicant proposes to create approximately 5.2 acres of wetlands within the Town of Greece, Deschel Road Detention Facility, located approximately 3-4 miles from the project site. The wetland creation will include approximately 2.4 acres of newly planted forested wetland habitat and approximately 2.8 acres of primary succession upland woods which will be seasonally flooded to convert to wetlands. The upland woods are currently dominated by box elder and green ash. The construction of the 2.4 acre wooded wetland will require the installation of a feeder swale from Round Pond Creek and the excavation of an existing mowed upland field. The excavation will result in "mound and pool" microtopography, which will be planted with trees and shrubs to mimic a natural hummock-type habitat. The construction of the 2.8 acre wetland conversion area will require the installation of a water control berm across an existing feeder channel and minor tree clearing.

The applicant's stated purpose is to construct a new food market and

convert the existing market into additional retail space.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Steven V. Metivier, who can be contacted by calling (716) 879-4314, or by e-mail at: steven.v.metivier@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

Based on preliminary findings, there do not appear to be any properties listed in, or eligible for listing in, the National Register of Historic Places within the permit area as shown on Sheet 1 of 5. This notice constitutes initiation of consultation with the Ohio Historic Preservation Office (SHPO) per Section 106 of the National Historic Preservation Act. All currently available historic resource information pertaining to this proposed project if any has been provided to the SHPO. Additional information concerning historic properties should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward that information to the SHPO for their review.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, and should be marked to the attention of Steven V. Metivier, or by e-mail at: steven.v.metivier@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs

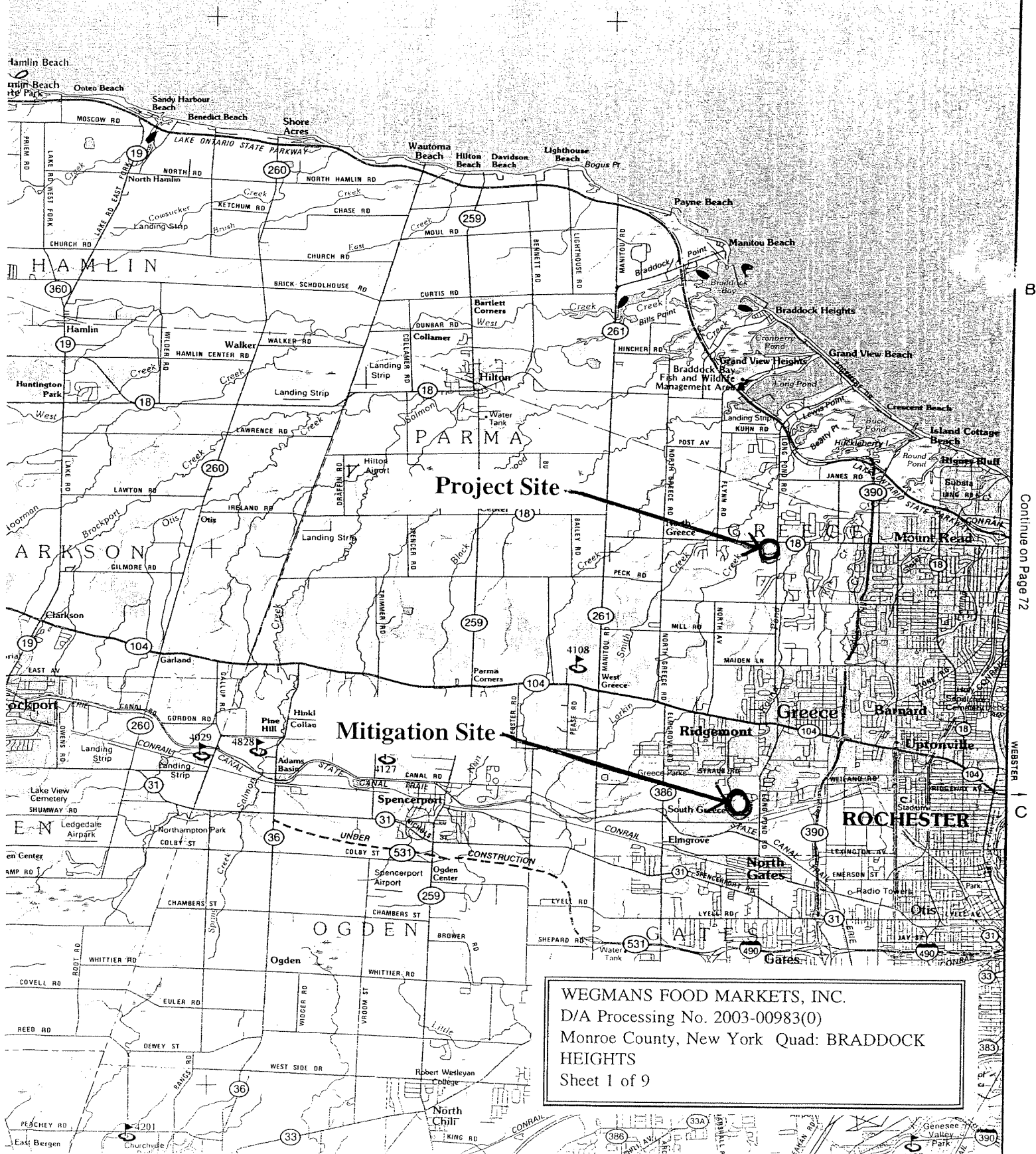
and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

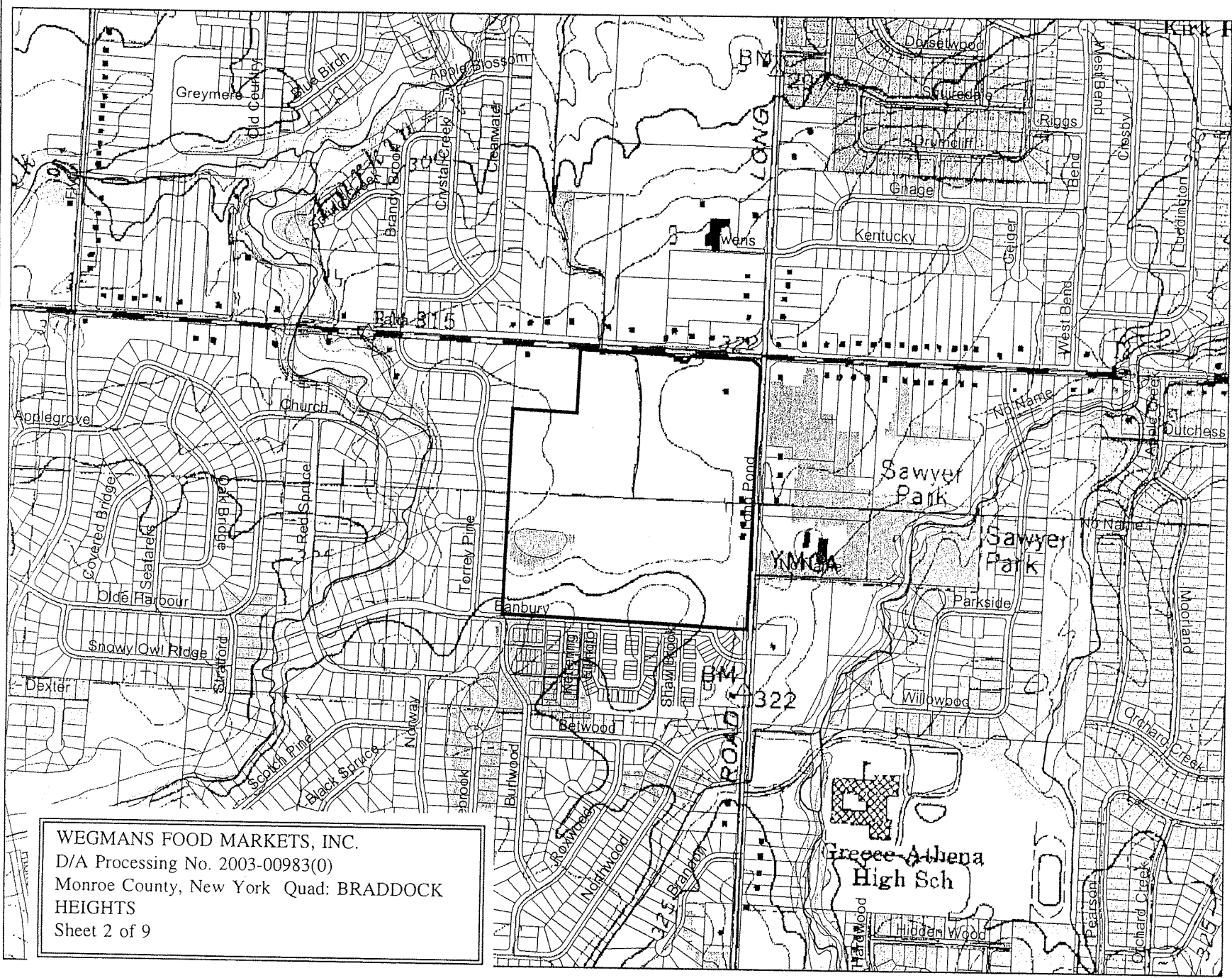
SIGNED

Thomas C. Switala
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



Wegmans Long Pond and Latta Road Vicinity Mapping



- Legend**
- Flood Zone
 - NWI wetland
 - Parcels
 - Site Parcel
 - DEC wetland

1" = 1000'



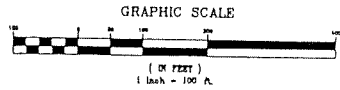
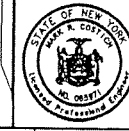
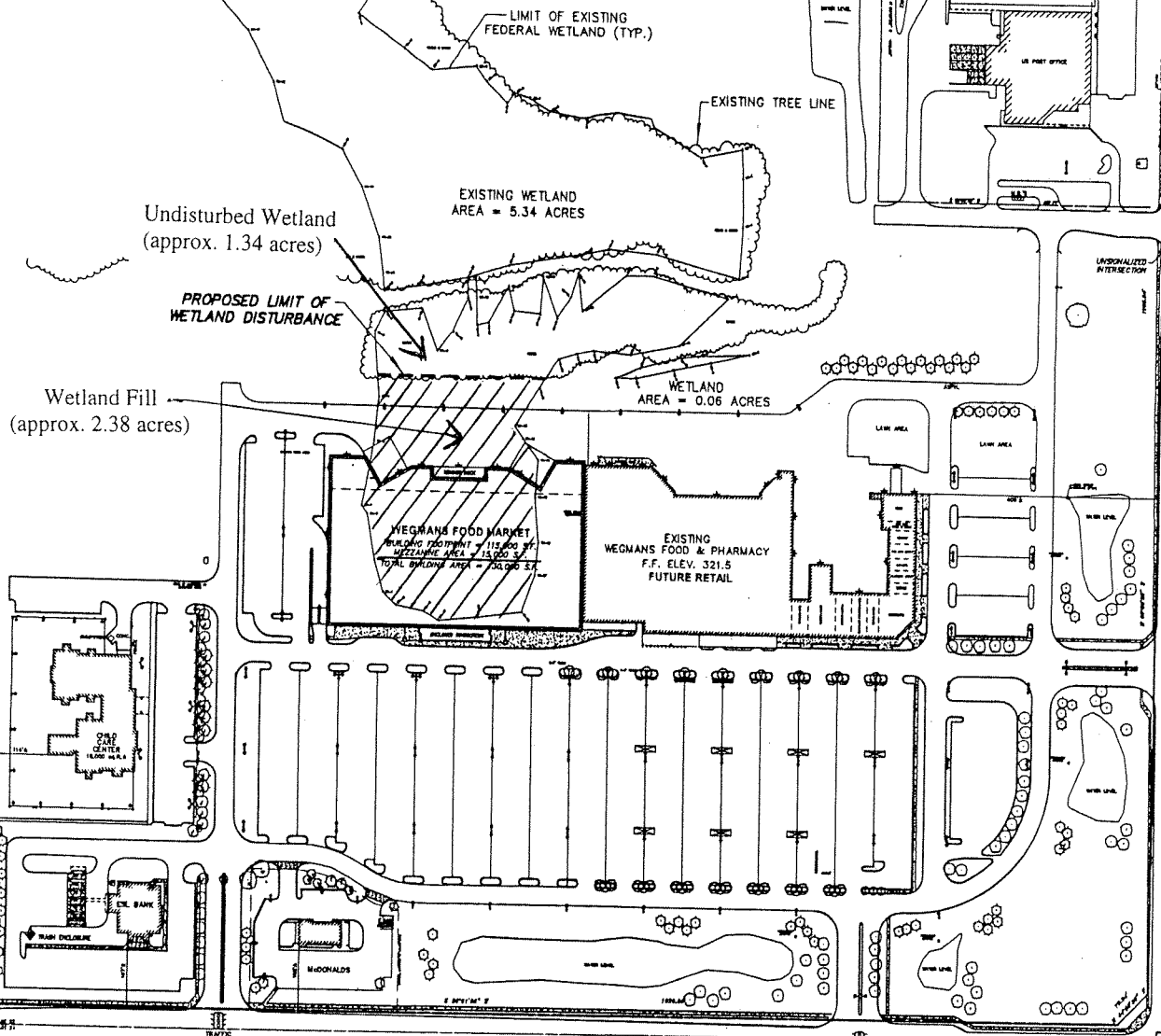
Data Sources:
 USGS 7.5 Minute Quad:
 Braddock Heights
 DEC wetlands: NYSDEC
 Freshwater Wetlands
 Mapping, Region 8
 NWI wetlands: USFWS
 CIR aerial photo: NYSGIS
 Flood Zones: FEMA Digitized
 Q3 Flood Data
 Roads, soils, streams:
 Monroe Co. Mapping Dept

WEGMANS FOOD MARKETS, INC.
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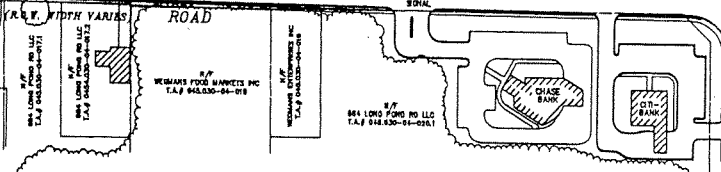


**COSTICH
ENGINEERING**
 217 Lake Avenue
 Rochester, NY 14608
 (585) 458-3020

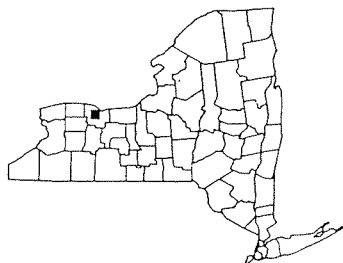
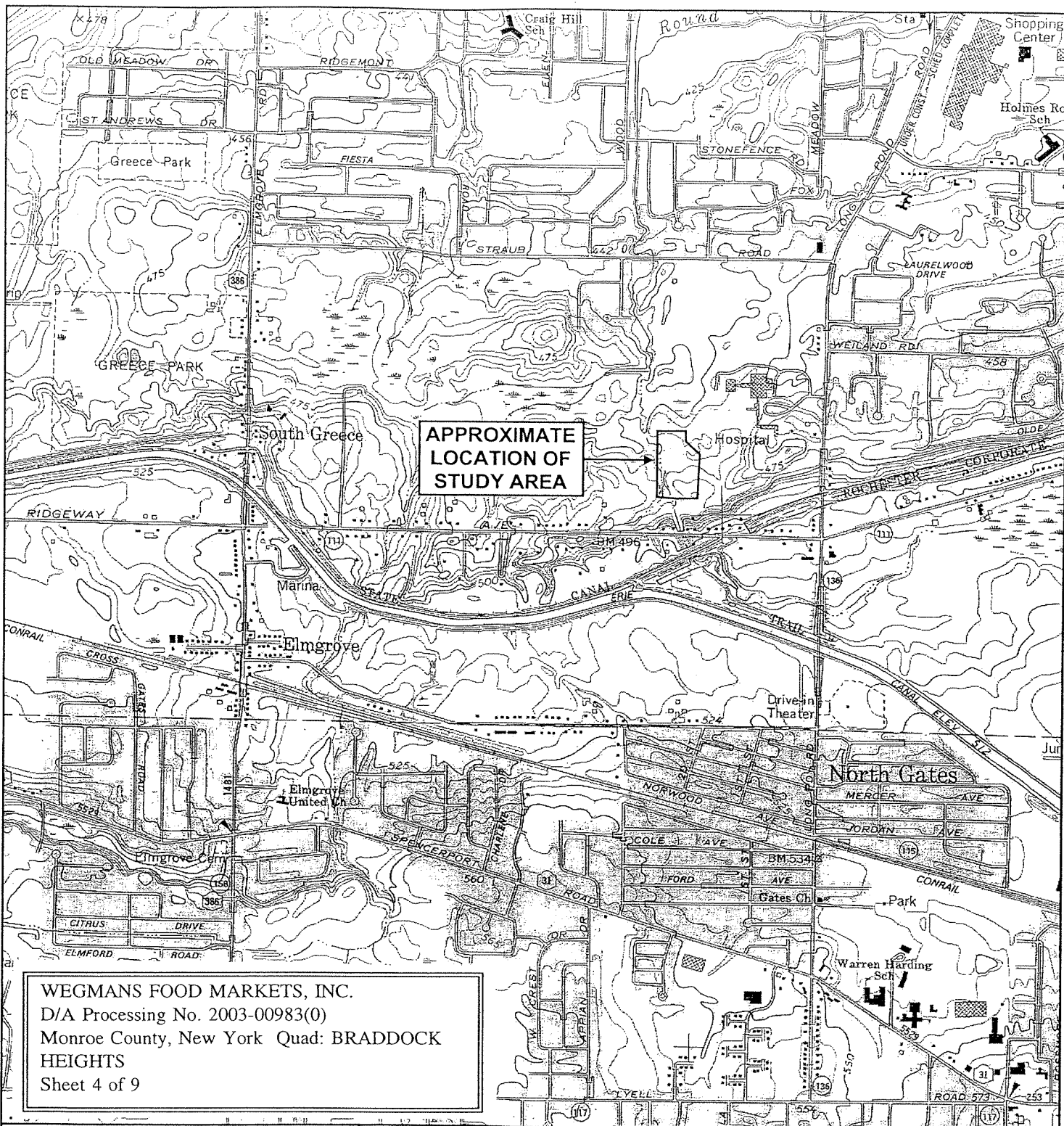
Proposed Site Plan



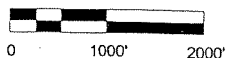
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NO. DATE PROJECT NUMBER W.F.C. DRAWN BY D.J.L. CHECKED BY D.T.H. APPROVED BY R.B.C. DATE 7/7/03 SCALE 1" = 100'		REVISION 1. CIVIL ENGINEERING 2. LAND PLANNING 3. SURVEYING BY LAKE AVENUE ROCHESTER, NEW YORK 14008 (585) 466-3020		SHEET NO. 1600-3 (SHEET 3 OF 13)
WEGMANS FOOD MARKETS, INC. 100 PEARSON MARKET STREET ROCHESTER, NEW YORK 14608		WEGMANS FOOD MARKET LONG POND & LATTIA ROAD OVERALL SITE PLAN (IN FEET) 1 inch = 100 ft.		COPYRIGHT © 2003 COSTICH ENGINEERING, P.C.



QUADRANGLE LOCATION



SCALE 1" = 2000'

NORTH

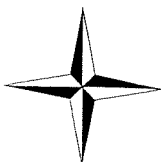
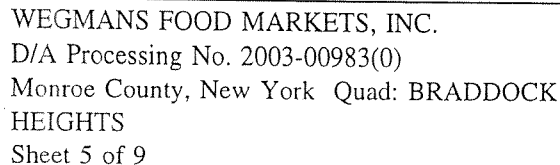


Figure 1. Site Location
 (Mitigation Site)
 NYS DOT Topographic Map

Rochester West Quadrangle
 1980

egmans\Mass Earthwork\Welland Creation Plot.dwg, 4/11/2004 2:58:52 PM, 1:2,



LEGEND

- EXISTING PROPERTY LINE
- EXIST. EASEMENT LINE
- EXIST. EDGE OF GRAVEL DRIVE
- EXISTING SANITARY SEWER, & MANHOLE
- EXISTING STORM SEWER, FIELD INLET, INLET MANHOLE, MANHOLE, & END SECTION
- TREE, HEDGE, EDGE OF WOODS
- BARBED WIRE, STOCKADE, CHAIN LINKED FENCE
- EXISTING CONTOUR
- EXISTING SPOT ELEVATION

N/F
TOWN OF GREECE
089-030-01-015

N/F
GEOFFREY & MARY ANN SIMPSON
089-030-01-014

N/F
PHILIP LUVISI & KAREN ALBIS
089-030-01-012

N/F
WILLIAM & DIANNE GRANT
089-030-01-011

NOTE:
PROVIDE STONE FILLING (MEDIUM)
NYSDOT ITEM NO. 620.04 WITHIN
HATCHED LIMITS SHOWN, MINIMUM
THICKNESS OF 1'.

UPLAND SEEDINGS AND MULCHING

THE CONTRACTOR WILL SPREAD THE FOLLOWING PERMANENT UPLAND
SEED MIXTURE AT A RATE OF 65 LBS./ACRE (1.49 LBS./1,000 FT²) TO THESE
AREAS:

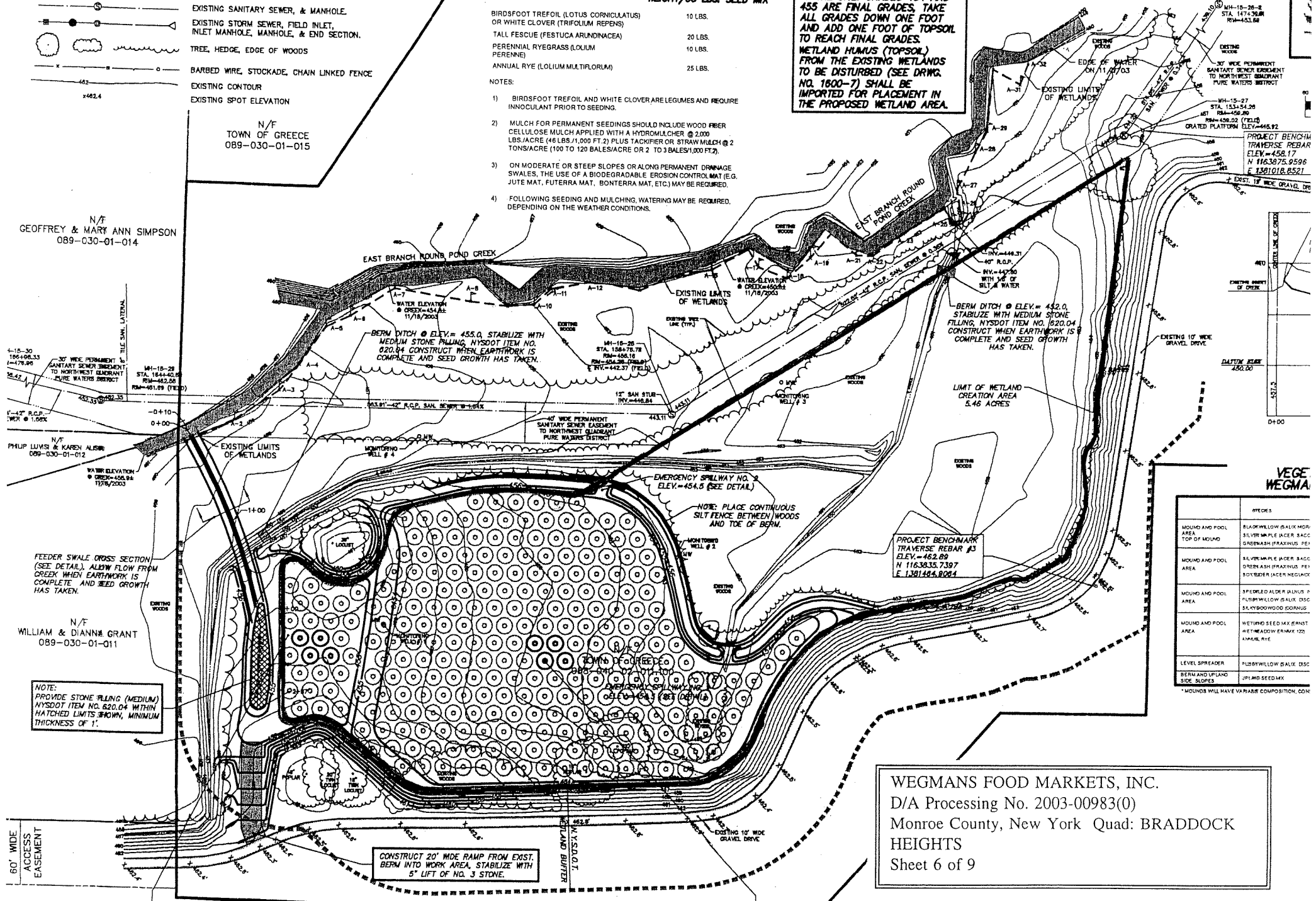
SPECIES	WEIGHT/65 LBS. SEED MIX
BIRDSFOOT TREFOIL (LOTUS CORNICULATUS) OR WHITE CLOVER (TRIFOLIUM REPENS)	10 LBS.
TALL FESCUE (FESTUCA ARUNDINACEA)	20 LBS.
PERENNIAL RYEGRASS (LOLIUM PERENNE)	10 LBS.
ANNUAL RYE (LOLIUM MULTIFLORUM)	25 LBS.

NOTES:

- BIRDSFOOT TREFOIL AND WHITE CLOVER ARE LEGUMES AND REQUIRE INOCULANT PRIOR TO SEEDING.
- MULCH FOR PERMANENT SEEDINGS SHOULD INCLUDE WOOD FIBER CELLULOSE MULCH APPLIED WITH A HYDROMULCHER @ 2,000 LBS./ACRE (46 LBS./1,000 FT²) PLUS TACKIFIER OR STRAW MULCH @ 2 TONS/ACRE (100 TO 120 BALES/ACRE OR 2 TO 3 BALES/1,000 FT²).
- ON MODERATE OR STEEP SLOPES OR ALONG PERMANENT DRAINAGE SWALES, THE USE OF A BIODEGRADABLE EROSION CONTROL MAT (E.G. JUTE MAT, FUTERRA MAT, BONTERRA MAT, ETC.) MAY BE REQUIRED.
- FOLLOWING SEEDING AND MULCHING, WATERING MAY BE REQUIRED, DEPENDING ON THE WEATHER CONDITIONS.

NOTE:

A STABILIZED CONSTRUCTION ENTRANCE WILL BE BUILT AT THE CHERRY CREEK DRIVE ENTRANCE TO THE SITE. GRADES 454 AND 455 ARE FINAL GRADES. TAKE ALL GRADES DOWN ONE FOOT AND ADD ONE FOOT OF TOPSOIL TO REACH FINAL GRADES. WETLAND HUMUS (TOPSOIL) FROM THE EXISTING WETLANDS TO BE DISTURBED (SEE DRWG. NO. 1800-7) SHALL BE IMPORTED FOR PLACEMENT IN THE PROPOSED WETLAND AREA.

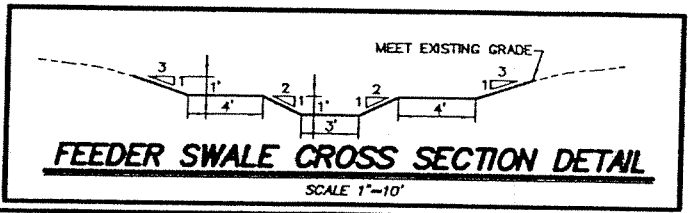
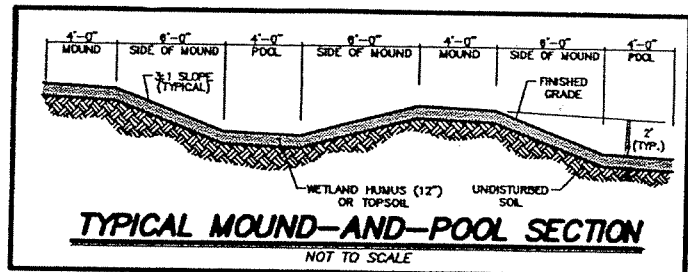
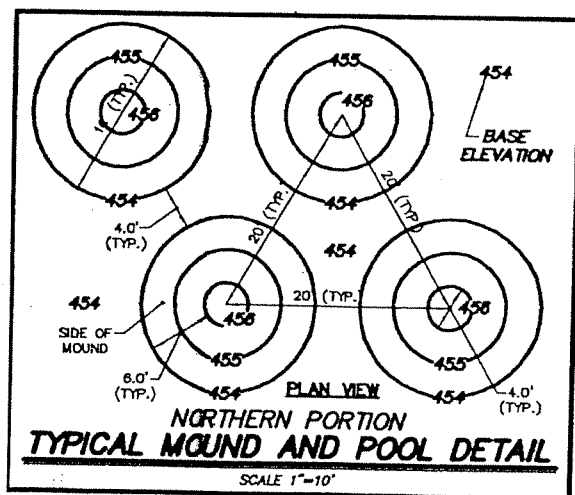
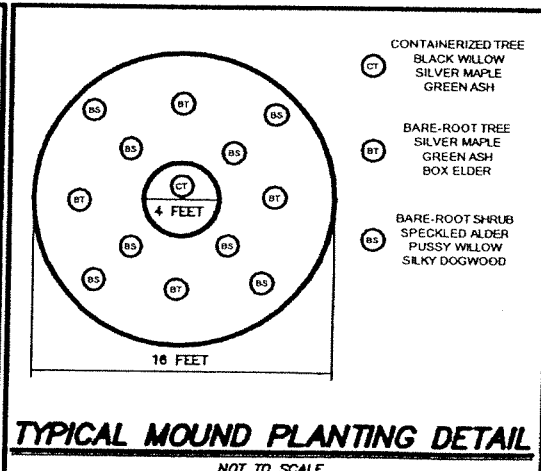
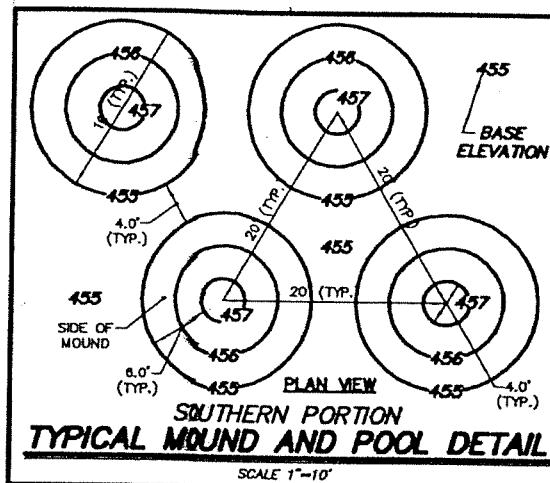


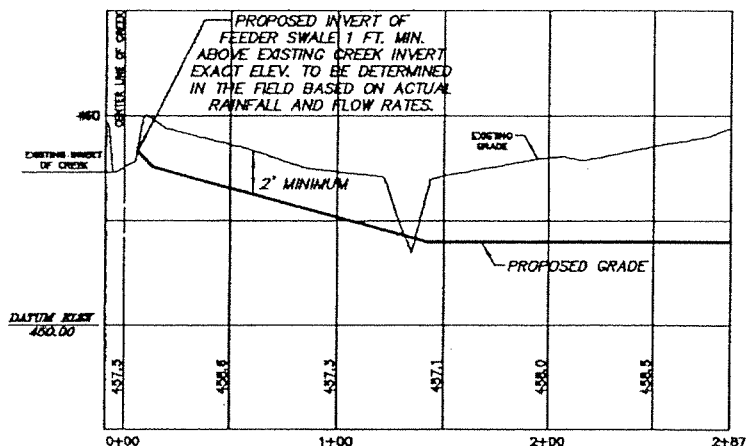
VEGE. WEGMA

AREA	SPECIES
MOUND AND POOL AREA, TOP OF MOUND	BLACKWILLOW (SALIX MOR.) SILVER MAPLE (ACER. SACC.) GREENWASH (FRAXINUS. PEI.)
MOUND AND POOL AREA	SILVER MAPLE (ACER. SACC.) GREENWASH (FRAXINUS. PEI.) SOYFEDER (ACER. NEGUNDO)
MOUND AND POOL AREA	SPECKLED ALDER (ALNUS. P.) PULBRYWILLOW (SALIX. DISC.) SL. HYDRANGEA (VIBURNUM. DISC.)
MOUND AND POOL AREA	WETLAND SEED MIX (BENT) WET MEADOW GRASS (POA. TRIV.)
LEVEL SPREADER	PULBRYWILLOW (SALIX. DISC.)
BERM AND UPLAND SIDE SLOPES	UPLAND SEED MIX

*MOUNDS WILL HAVE VA PLANT COMPOSITION, CON.

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FEEDER SWALE PROFILE

SCALE: HORIZ: 1"=50'
VERT: 1"=5'

VEGETATION PLANTINGS FOR THE WEGMANS WETLAND CREATION AREA

	SPECIES	TYPE OF STOCK	SIZE	PLANTING METHOD	SPACING AND DENSITY	PLANTING PATTERN	PLANT QUANTITY
MOUND AND POOL AREA TOP OF MOUND	BLACKWILLOW (SALIX NIGRA)	CONTAINER	1-3'	HAND	1 PER MOUND	CENTER OF MOUND*	80
	SILVERMAPLE (ACER SACCHARINUM)	CONTAINER	5-6'	HAND	1 PER MOUND		100
	GREBNASH (FRAXINUS PENNSYLVANICA)	CONTAINER	5-6'	HAND	1 PER MOUND		100
MOUND AND POOL AREA	SILVERMAPLE (ACER SACCHARINUM)	BARE ROOT	18-24"	HAND	4' CENTERS	4 PER MOUND	380
	GREBNASH (FRAXINUS PENNSYLVANICA)	BARE ROOT	18-24"	HAND	4' CENTERS	ON SIDE SLOPE*	380
	BOXELDER (ACER NEGUNDO)	BARE ROOT	18-24"	HAND	4' CENTERS		380
MOUND AND POOL AREA	SPECKLED ALDER (ALNUS INCANA)	BARE ROOT	12-24"	HAND	4' CENTERS	8 PER MOUND	750
	PUSBYWILLOW (SALIX DISCOLOR)	BARE ROOT	12-24"	HAND	4' CENTERS	ON SIDE SLOPE	750
	SILKYDOGWOOD (CORNUS AMOMUM)	BARE ROOT	12-24"	HAND	4' CENTERS		750
MOUND AND POOL AREA	WETLAND SEED MIX (ERNST WETMEADOW ERNMIX 122) ANNUAL RYE	SEED	N/A	HAND OR HYDROSEED	15 LBS./ACRE 20 LBS./ACRE	ENTIRE POOL AND MOUND AREA	36 LBS. 44 LBS.
LEVEL SPREADER	PUSBYWILLOW (SALIX DISCOLOR)	BARE ROOT	18-24"	HAND		STAGGERED	40
BERM AND UPLAND SIDE SLOPES	UPLAND SEED MIX	SEED	N/A	HAND OR HYDROSEED	85 LBS./ACRE		75 LBS.

* MOUNDS WILL HAVE VARIABLE COMPOSITION, CONSISTING OF A LARGE PLANTED TREE ON TOP, 4 BARE-ROOT TREES AND 8 SHRUBS ON THE SIDE SLOPES.

CONSTRUCTION SEQUENCE

MAY, 2004

1. CLEAR TREES TO LIMITS SHOWN ON THE LATTA ROAD SITE. LEAVE STUMPS EXCEPT FOR AREAS REQUIRED TO CONSTRUCT FINGER SWALES.
2. CONSTRUCT FINGER SWALES ON THE LATTA ROAD SITE.

JULY, 2004

3. STRIP TOPSOIL AND PERFORM MASS EARTHWORK ON DESCHEL SITE. THE OWNER WILL PERFORM AN AS-BUILT SURVEY TO VERIFY EARTHWORK IS COMPLETED PER THE PERMITTED PLANS.
4. REMOVE STUMPS ON LATTA ROAD SITE.
5. STRIP REQUIRED TOPSOIL FROM LATTA ROAD WETLAND, EXPORT AND PLACE AT DESCHEL WETLAND.
6. STRIP REMAINING TOPSOIL AT LATTA ROAD SITE, EXPORT OFFSITE.
7. PERFORM MASS EARTHWORK AT LATTA ROAD SITE, SORT SUITABLE STRUCTURAL FILL FROM EXISTING STOCK PILE AS REQUIRED.
8. INSTALL STORM SEWER SYSTEMS AT LATTA ROAD SITE.
9. STABILIZE ALL DISTURBED AREAS ON BOTH SITES.

SEPTEMBER, 2004/MAY 2005

10. SEED AND INSTALL PLANTINGS AT DESCHEL SITE.

NOTE: FOR THE BID ALTERNATE USE SUITABLE STRUCTURAL FILL FROM DESCHEL SITE IN LIEU OF EXISTING STOCK PILE ON LATTA ROAD SITE.

FACW WETLAND MEADOW MIX ERNMX - 122

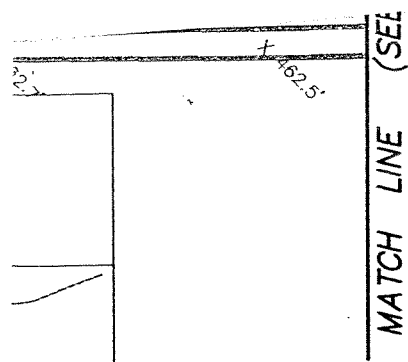
20%	ELYMUS VIRGINICUS	VIRGINIA WILD RYE
19%	CAREX VULPINOIDEA	FOX SEDGE
5.50%	VERBENA HASTATA	BLUE VERVAIN
5%	HELIOPSIS HELANTHOIDES	OX-EYE SUNFLOWER
5%	JUNCUS EFFUSUS	SOFT RUSH
5%	SCIRPUS ATROVIRENS	FREEN BULRUSH
5%	EUTHAMIA GRAMINIFOLIA	GRASS LEAVED GOLDENROD
4%	GLYCERHIZA GRANDIS	AMERICAN MANNAGRASS
3%	CAREX LURIDA	LURIDSHALLOW SEDGE
3%	EUPATORIUM PERFOLIATUM	BONESET
3%	SCIRPUS POLYPHYLLUS	MANY LEAVED BULRUSH
2%	ASTER UMBELLATUS	FLAT TOPPED WHITE ASTER
2%	CAREX COMOSA	COSMOS/BRISTLY SEDGE
2%	CAREX LUPULINA	HOP SEDGE
2%	SCIRPUS CYPERNUS	WOOL GRASS
2%	VERNONIA GIGANTEA	GIANT IRONWEED
1.50%	EUPATORIUM FISTULOSUM	JOE PYE WEED
1.50%	EUPATORIUM MACULATUM	SPOTTED JOE PYE WEED
1.50%	VERATRUM VIRIDE	FALSE HELLEBORE
1%	BROMUS LATIQLUMIS	WILD BROME GRASS
1%	CAREX SCOPARIA	BLUNT BROOM SEDGE
1%	GEUM LACINIATUM	ROUGH AVERN
1%	HELENIUM AUTUMNALE	COMMON SNEEZEWEED
1%	ZIZIA AUREA	GOLDEN ALEXANDERS
0.50%	CINNA ARUNDINACEA	WOOD REEDGRASS
0.50%	LUCHWIGIA ALTERNIFOLIA	SEEDBOX
0.50%	MIMULUS RINGENS	SQUARE STEWED MONKEY FLOWER
0.50%	PENTHORUM SEDONDES	DITCH STONECROP
0.50%	PSYCHANTHEMUM TENUIFOLIUM	NARROW LEAF MOUNTAIN MINT
0.25%	JUNCUS ACUMINATUS	SHARP FRUITED RUSH
0.25%	SANGUISORBA CANADENSIS	CANADIAN BURNET

WEGMANS FOOD MARKETS, INC.

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LOCATION SKETCH NOT TO SCALE

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